

# Exhibit 1

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

STUDENTS FOR FAIR ADMISSIONS  
*Plaintiff,*

v.

THE UNITED STATES NAVAL  
ACADEMY, *et al.*,

*Defendants.*

No. 1:23-cv-2699-RDB

**EXPERT REPORT OF BRIGADIER GENERAL (RET)**  
**CHRISTOPHER S. WALKER**

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## **I. Background**

My name is Brigadier General (Ret) Christopher S. Walker. I am a retired United States Air Force General officer with over forty years in uniform. The views expressed in this report are solely my own, and this report is submitted on my own behalf and not on behalf of any organization.

### **A. Professional Qualifications**

I am a 1988 graduate of the United States Air Force Academy. The Department of Defense (DoD) has also invested in me by sending me to Navigator Training, Air Ground Operations School, Air Command and Staff College, Air War College, Air and Space Operations Center School, Advanced Joint Professional Military Education, the Director of Mobility Forces Course, the Reserve Component National Security Course, the Joint Task Force Commander Course, the Dual Status Commander's Course, Continuous Process Improvement for Executives, the Air Force Enterprise Leadership Seminar at UNC Kenan-Flagler Business School, and the Georgetown University Executive Leadership Program in Managing Inclusion.

I am a Level-3 Joint Qualified Officer, and thus, I can speak with expert certainty about issues affecting any of the service branches. I have commanded airmen and other troops at the squadron, group, state, and Joint Task Force level. I have always had an open-door policy when in command, which has helped me stay aware of issues that have an impact on junior service members but often remain hidden

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from commanders. I mentored troops and young people considering military service throughout my career, and I continue to do so in retirement.

I have combat experience in the Balkans, Afghanistan, and Iraq. I have lived or been deployed to more than twenty countries on behalf of the United States Department of Defense, and I have visited scores more as a senior representative of the Air Force business. I have worked professionally with people from all over the world and served in combat with U.S. troops of all races, ethnicities, and religions, as well as allied forces from dozens of foreign countries. I have served at the tactical, operational, and strategic levels of war. Before becoming a General officer, I achieved Master Navigator with more than 5,200 hours in C-130E/H/H3 aircraft, including more than 400 combat and combat support hours.

My career culminated when I served as Assistant Adjutant General-Air of the West Virginia National Guard and Commander of the West Virginia Air National Guard. During that assignment, I served in a dual-hat status as Assistant to the Assistant Secretary of the Air Force, Manpower and Reserve Affairs (“SAF-MR”), providing oversight and input on laws, regulations, and policy related to human capital issues. In this role, I assisted in areas of diversity, force development, force management, total force, and Airman and Family Readiness.

I also served as Senior Military Advisor to the Secretary of the Air Force’s Office of Diversity and Inclusion (SAF/DI). My duties included providing strategic

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advice/guidance to the Air National Guard (ANG) regarding the implementation of Air Force diversity and inclusion initiatives, providing senior leader support to the Office of Diversity and Inclusion, and identifying and recommending changes to policies and procedures. I was also tasked with reviewing Air Force policies to identify barriers and other practices that may have an unfair effect upon underrepresented Airmen and Guardians, assessing the Air Reserve Component (“ARC”) implications of the Independent Racial Disparity Review conducted by the Department of the Air Force Inspector General, and managing the ARC’s development and implementation of the GO INSPIRE diversity recruiting program initiated in January 2021.

My military awards and decorations include the Legion of Merit, Defense Meritorious Service Medal, Meritorious Service Medal with four oak leaf clusters, Air Medal with oak leaf cluster, Aerial Achievement Medal with four oak leaf clusters, Air Force Commendation Medal with two oak leaf clusters, Joint Service Achievement Medal, Air Force Achievement Medal with two oak leaf clusters, AF Outstanding Unit Award with Valor with three oak leaf clusters, Combat Readiness Medal with six oak leaf clusters, National Defense Service Medal with oak leaf cluster, Armed Forces Expeditionary Medal with oak leaf cluster, Kosovo Campaign Medal, Global War On Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, Armed Forces Service Medal with oak leaf cluster, and Humanitarian Service Medal with two oak leaf clusters.

I am currently serving on the National Board of Governors for the Civil Air Patrol and am the chair of two charter school boards in West Virginia. I also serve on the boards of directors for the Bridge Valley Community and Technical College Foundation, Inc. and for the Clay Center for the Arts and Sciences of West Virginia.

**B. Military Career**

After graduation from the Academy, I was ordered to Specialized Undergraduate Navigator Training (SUNT) at Mather Air Force Base (which no longer exists) in Sacramento, CA. Flight training is intense, and not everyone makes it through successfully. Like the Academy, it was a “school” where young officers sometimes had to cooperate to graduate. During training on dead-reckoning, instrument flight, celestial navigation, and other challenging segments, we learned to find the most talented to study and train with outside of the classes and flights.

Many of us from USAFA came with an attitude that we were superior to ROTC graduates. That bravado faded quickly, and those of us who made it through chose our study partners by talent, and not by race. My SUNT class started with four Black officers. We ended with two—one other Black officer and me. The other two chose to only associate with other Black officers (in our class and the classes ahead and behind us), regardless of those officers’ talent and commitment. The results were not good. And again, the rest of us bonded due to the “crucible” without regard to race, sex, or ethnicity.



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My first assignment after obtaining my navigator wings in Spring 1989 was with the 153rd Weather Reconnaissance Squadron (WRS) at Keesler Air Force Base in Biloxi, Mississippi. We were known as the “Hurricane Hunters.” I was the sole Black officer in the squadron, and while some may assume that being in Mississippi without other Black officers would have been a hardship for me, that was not the case. On the contrary, I was taken in by the young officers in the squadron and made to feel like part of a family. Our principal mission was to fly into hurricanes, tropical storms, and cyclones. This was (is) the only Air Force unit authorized to fly through thunderstorms due to the heavy risk of aircraft damage. Thus, our aircrews had to have great skill, and we felt like we lived on the edge when flying for 10-12 hours at a time in severe turbulence.

While flying through Hurricane Bertha, approximately 300 miles east of New York, our aircrew received a distress beacon from a cargo ship. We made radio calls to the Coast Guard to coordinate. The Coast Guard had been in contact with the cargo ship and gave us its last known coordinates so we could try to locate it. We entered a “creeping line” search pattern, and I eventually located a distinct return on the radar. I directed the crew to the radar target, and when we arrived, we saw a vessel that was broken in half due to the heavy seas. We descended further to discern if there were survivors and made radio contact with a member of the ship’s crew and marked their location coordinates to guide the Coast Guard and an Air Force Rescue

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plane to its location. The ship eventually sank, but our crew was credited with saving 21 of the 29 crewmen.

In the Spring of 1991, the Air Force decided to close down the active duty 53<sup>rd</sup> WRS and transfer all the responsibility for weather reconnaissance to the Air Force Reserves. I received orders to Little Rock Air Force Base in Jacksonville, Arkansas. I was assigned to the 50<sup>th</sup> Tactical Airlift Squadron (later changed to 50<sup>th</sup> Airlift Squadron). I was one of three Black officers. There were also two Hispanic officers, and two Asian officers. In these operational airlift squadrons, one could fly with a varied combination of people for different missions around the United States because we did not have fixed crew assignments. From my experience, in the operational squadrons, there was little tribalism based on race or ethnicity. We bonded through the warrior ethos—meaning those who had been in combat, and those who hadn't.

When I arrived at the unit, many of the squadron members were just redeploying back home from combat duty during Operation Desert Shield and Operation Desert Storm. They shared tales of combat flying, and those of us who had not yet experienced it felt left out. However, it was not long before I was deployed to Saudi Arabia in the aftermath of Desert Storm to fly missions throughout the Middle East. In the deployed environment, we did have fixed aircrews to better facilitate the rigid flying schedule. We bonded with our aircrews, no matter who they were, mainly out of warrior spirit, and also because we needed to trust one another for survival. The

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culture throughout the Middle East was alien to all of us, no matter what race or ethnicity, and we bonded based on our shared American values.

In the Autumn of 1992, my Squadron was deployed to Mombasa, Kenya to fly humanitarian missions into Somalia during Operation Provide Relief and Operation Restore Hope. I was anxious to go on this deployment because it would be the first time I was able to spend more than one night on the continent of Africa. It was a strange experience for me when we landed at Moi International Airport in Mombasa. On the bus trip from the airport to the hotel where we would be quartered, it was hard not to notice that everyone, including police officers, bus drivers, bankers, shop owners, etc., were Black. None of us were used to that. Although one might assume that the Black airmen who came on this mission would have an advantage in relating to the local populace, that assumption would be wrong. Kenyan culture was entirely different from anything we had experienced. We were all considered “Yankees” as soon as we spoke, no matter what we looked like.

The official language of Kenya is English, but Swahili is heavily used in Mombasa, along with separate tribal languages. Over the course of months in Mombasa, it became apparent that those who ventured into the community and made an effort to learn the culture became somewhat accepted, no matter their race or ethnicity. Those who made the effort to learn Swahili (like me) gained extra favor with the Kenyans. As for aircrews, what really mattered was one’s contributions during the

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arduous and sometimes dangerous missions into Somali airfields in Mogadishu, Bardera, Bardera, Oddur, and elsewhere.

At those airfields, we performed engine-running offloads in order to minimize our time on the ground where many Somali rebels had vehicles that we called “technical.” A “technical” was a jeep or pickup truck with machine guns, anti-tank weapons, or anti-aircraft guns welded/bolted onto them. They were all over the airfields we flew into. We had to confront logistical nightmares on a regular basis, because every airfield but Mogadishu lacked Material Handling Equipment (MHE) like forklifts or K-loaders. As a result, all of our cargo—which usually consisted of more than 10 tons of 50-pound bags of rice, wheat, beans, and flour—had to be unloaded manually, one bag at a time. That meant over 200 bags of food needed to be taken, by hand, off the aircraft (while the engines were running) onto awaiting trucks in humid 90-degree weather. Nothing bonds people better than shared hardship, and we were no exception to that rule. We were exhausted and sweaty by the end of each flight mission, but when we returned to Mombasa at the end of the day, we were family. Race, ethnicity, and sex mattered little.

Beginning in January 1994, I served as an Airdrop Mission Planner in support of Operation Provide Promise at Dal Molin Airport in Vicenza, Italy. There, I had my first opportunity to work side-by-side with other NATO partners including soldiers and airmen from Italy, the Netherlands, UK, and Germany.

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In January of 1995, I reported to a new assignment at Yokota Air Base in Tokyo, Japan, with the 36th Airlift Squadron. As an officer, I had the option to live off-base, and I decided to do that. In my initial week in Japan, I saw service members who decided to live on base and rarely ventured outside the gates. I wanted to learn about Japan, so I wanted to live in an apartment in a town where I would be forced to learn the culture. Here was another example of culture versus ethnicity. When I really got to bond with some of my Japanese friends, I learned that all Asians are not alike. I learned there was continued friction between Koreans and Japanese from the bitter memories of WW2, and the same was true with Chinese and Japanese. And since I was a C-130 aircrew member, I got to fly into Korea and Hong Kong regularly. The Koreans I bonded with confirmed what I'd learned from my Japanese friends.

Once my tour with the 36<sup>th</sup> Airlift Squadron was complete, I chose to leave active duty and join either the Air National Guard (ANG) or the Air Force Reserves (AFRES). I applied to many ANG and AFRES C-130 units, and the unit that gave me the best offer and welcome was the 167<sup>th</sup> Airlift Wing in Martinsburg, WV. One of my aircrew brethren from the Hurricane Hunters flew there, and two pilots whom I'd flown with at Little Rock were also part of that unit.

I obtained a full-time position with the unit, while most members of the ANG serve part-time and have civilian jobs outside of uniform. We deployed to the Middle

East in 2002 to serve in Operation Enduring Freedom, flying into blacked-out airfields in Afghanistan using only GPS, Night Vision Goggles (NVGs), radar images of the landing strip, and our radar altimeter.

In July 2003, during my third rotation to the Middle East, I was assigned to Baghdad as a liaison between Air Mobility Command and the Coalition Provisional Authority (CPA) that was set up to rebuild Iraqi infrastructure destroyed in the invasion. Our office was made up of Army, Navy, Coast Guard, and Air Force personnel, and some civilians with specialized expertise. We all bonded based on the dangers we encountered regularly. Some of us would have to take daily trips from the main palace in the “Green Zone” to Baghdad International Airport (BIAP) down a deadly highway known as “Route Irish.” Most of us wore civilian clothes and keffiyehs to try and blend in while driving our Toyota or Nissan pickup trucks and SUVs. As the violence escalated around us (IEDs on Route Irish, mortar and rocket attacks, shooting ambushes, and bombings), we became very aware of who on the team was a liability and who raised our chances of survival. There were two individuals (one White and one Black) whom we all considered a liability in that environment, and by the end of the deployment, we were amazed that they managed to stay alive and not get any of us hurt. Seasoned service members know who is reliable in the face of danger and who is not. Race and ethnicity aren’t a consideration when your life is on the line.

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As a Lieutenant Colonel, I eventually took an assignment at the Air National Guard Readiness Center in 2006 as the Crisis Action Team (CAT) Director. As part of this assignment, I led more than sixty airmen of all ranks from around the country to support Operation Jump Start, which was a military operation led by the National Guard to aid U.S. Customs and Border Protection, announced by President George W. Bush in May 2006. I was in charge of providing thousands of the best National Guard volunteers from around the nation to support logistics, airlift, security, personnel, medical, legal, communications, intelligence, and finance operations while at the Southern Border of the United States. It was a high-pressure, no-fail operation, and mission success really counted on professional competence, dedication, and ingenuity. Those who could “hack it” were rewarded. Those who could not perform to expectations, I relieved from duty. Neither race, ethnicity, sex, or anything else but performance entered my decision process.

In 2008, I was promoted to full colonel and assigned to a position with the Connecticut Air National Guard, due to my performance as Crisis Action Team Director. When I transferred to the Connecticut ANG from the West Virginia ANG, I started as the Air Mobility Operations Squadron Commander and quickly rose to the Air Operations Group Commander. There were a few service members in the CT ANG who openly wondered why I was given command of the unit. Very quickly into my tour, I secured respect from my troops by not asking them to do anything I

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wouldn't do, taking care of them and their families—especially while they were deployed overseas—and being firm but fair in all of my command decisions. I am still close friends with most all of them to this day. My race did not matter. Being a good leader mattered.

In late 2010 to mid-2011, I was deployed to the 609<sup>th</sup> CAOC to be a Deputy Air Mobility Division (“AMD”) Chief. During that tour, I also served as Acting Air Mobility Chief during the Chief’s absence. While serving as the Deputy Chief of the Division, I was in charge of leading the personnel the Air Force sent and did not have the option of choosing the best players. I found that proper coaching helped to elevate the “weak swimmers” and leaning on my senior non-commissioned officers improve performance worked wonders. I tried my best not to micromanage the junior leaders below me, and I gave my troops room to make mistakes and learn from them. By the time I finished that tour, I had received numerous notes and letters from the airmen I led (of all races and sexes), telling me how much they appreciated my leadership style and thanking me for helping the entire division run smoothly and effectively. Incidentally, none of those letters said anything about me being a good “Black” leader. My race did not matter. I am friends with many of those airmen to this day.

In late 2012, the National Guard Bureau leadership invited me to the Air National Guard Readiness Center to serve as Division Chief for their Mobility Forces



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Division. In that role, my job was to develop and implement operational policy, tactics, and training for over 50 Air National Guard tactical and strategic airlift, operational airlift, and tanker wings across the country (an Air Force “wing” is a large-scale formation that is comprised of three squadrons). The assignment also meant that I served as the authoritative source on air mobility operations and training matters for the Air National Guard. The previous division chief had been relieved for poor performance, and I was asked to take the role because of my prior success in the Operations (A3) Directorate and also due to my experience managing air mobility forces at the operational level in war zones. Initially, my assignment was to serve as the acting chief, but I was subsequently given the position on a permanent basis after improving the unit’s performance.

In the summer of 2014, I was “force developed” (a term the military uses when they put officers or NCOs in positions outside of their normal expertise, to broaden their experience and groom them for more responsibility) into a division chief position at the Joint-level of the National Guard Bureau. In 2016, I was promoted to Brigadier General and chosen to become the Chief of Staff for the West Virginia ANG, where I assumed the responsibilities described in Part A of this Section.

## **II. Assignment**

I have been retained by the Plaintiff in this case, Students for Fair Admissions, to provide expert opinion in this matter. I have been asked by SFFA to answer two

questions:

(1) Whether the use of race in admissions at the United States Naval Academy is vital to national security, including whether racial diversity is critical to cohesion and lethality, recruitment, retention, or the military's legitimacy in the nation and the world; and

(2) Whether there are any harmful effects to using race in admissions at the United States Naval Academy.

I am being paid \$400 per hour for my work in this case. My compensation is not contingent upon reaching any opinion or achieving any outcome in this case. The opinions expressed herein are my own.

In rendering the opinions and conclusions expressed in this report, I drew upon my personal and professional experience from my four decades of military service. My curriculum vitae and list of publications are contained in Appendices A and B. I have also considered various documents that were produced by the Academy in this case. A list of those documents is contained in Appendix C.

I have not testified as an expert at trial or deposition in the past four years. I have not authored any publications in the past ten years.

### **III. Summary of Conclusions**

I do not believe that diversity, of any type, is harmful or something to be resisted. Over my four decades of service to the country in uniform, however, I have

come to believe that the ways in which organizations obtain diversity can be harmful. The Department of Defense is no exception. Moreover, the DoD has recently focused most of its efforts on superficial diversity of immutable traits rather than diversity of thought, language, culture, and life experience. With that in mind, I have reached three central conclusions:

First, the military has a singular, overriding purpose: to win the nation's wars. It does that by ensuring that units—and the troops that comprise them—are tactically and technically proficient, have the time and resources necessary to train on their fundamental tasks, and have quality leadership.

Second, it is simply not the case that unit cohesion and lethality, recruiting, retention, or the military's legitimacy will suffer if the Academy is ordered to cease its use of racial preferences.

Third, removing racial preferences improves military readiness because using race as a factor in officer accessions undermines trust in leadership and is counter-productive to unit cohesion.

#### **IV. The critical components of military readiness**

##### **A. To win effectively, the military must be technically and tactically proficient and results oriented.**

To effectively win, the military needs technical and tactical proficiency, time and space to train on what matters most, resources dedicated to what matters, and effective leadership that leads to unit cohesion.

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I once mentored a young Navy E-3 who was extraordinarily erudite and inquisitive. She asked me how she could obtain experience with joint warfare. I was surprised at her question, but I told her the first thing she needs to do is become an expert in her field. She would then need to get experience interacting in combat or combat exercises with other operational career fields in the Navy. I told her she would be of no use to a joint commander if she could not bring to bear a deep knowledge of Navy doctrine so the joint commander could find ways to synergize the operational plan. I give this advice to every young officer and enlisted service member I mentor. To win as a team, each person on the team needs to execute their tasks nearly flawlessly in order to mitigate the “fog and friction” of war. If our service members do not possess the expertise needed, they may end up doing harm to our nation without our enemies firing a shot. For example, here is a summary of the Navy’s findings from investigations into the two deadly collisions between guided-missile destroyers USS Fitzgerald (DDG-62) and USS John S. McCain (DDG-56) and merchant ships:

The collision between Fitzgerald and Crystal was avoidable and resulted from an accumulation of smaller errors over time, ultimately resulting in a lack of adherence to sound navigational practices. Specifically, Fitzgerald’s watch teams disregarded established norms of basic contact management and, more importantly, leadership failed to adhere to well-established protocols put in place to prevent collisions. In addition, the ship’s triad was absent during an evolution where their experience, guidance and example would have greatly benefited the ship.

The collision between John S. McCain and Alnic MC was also avoidable and resulted primarily from complacency, over-confidence, and a lack of procedural compliance. A major contributing factor to the collision was sub-standard level of knowledge regarding the operation of the ship control console. In particular, McCain's commanding officer disregarded recommendations from his executive officer, his navigator, and senior watch officer to set sea and anchor watch teams in a timely fashion to ensure the safe and effective operation of the ship. With regard to procedures, no one on the Bridge watch team, including the commanding officer and executive officer, were properly trained on how to correctly operate the ship control console during a steering casualty.<sup>1</sup>

To put the paragraphs above in everyday language, the Fitzgerald and the McCain were both unprepared to conduct standard operations in the Pacific because their crews were unfamiliar with the technical components of the ship and failed to employ basic tactics to avoid collisions. Outside investigations similarly attributed the disasters to overworked, undertrained, and undermanned crews.<sup>2</sup> In response to the collisions—in which seventeen sailors lost their lives—the Secretary of the Navy commissioned a Strategic Readiness Review of the entire naval fleet. The 102-page report, released in December 2017, “examined issues of governance, accountability, operations, organizational structure, and manning and training over the past three plus decades to identify trends and contributing factors that have compromised

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<sup>1</sup> U.S. Naval Institute, *USS Fitzgerald, USS John S. McCain Collision Report*, (Nov. 1, 2017), <https://perma.cc/63T3-VB5E>.

<sup>2</sup> Robert Faturechi, Megan Rose, & T. Christian Miller, *Years of Warnings, Then Death and Disaster*, ProPublica, (Feb. 7, 2019), <https://perma.cc/2B35-B9W6>.

performance and readiness of the fleet.”<sup>3</sup> Notably, the Strategic Readiness Review never once mentions the racial or ethnic composition of the fleet or its leadership, or anything else related to race or racial diversity.

In today’s fiscally constrained environment, there is much less funding to train our troops to win. A great deal of money goes toward funding new esoteric and unproven weapons systems, healthcare, benefits, and fuel costs. The money that is left for training has to be used wisely. The time has to be used just as wisely. Despite having slight technical superiority to near-peers, our service members have to be trained to use these weapons effectively, maximizing enemy loss, and minimizing U.S. coalition losses. According to Field Manual (FM) 7-0, Training, June 2021, J-1, a training environment is an environment comprised of conditions, supporting resources, and time that enables training tasks to proficiency.

The services have attempted to maximize training with less money by utilizing a hybrid approach, blending live training with synthetic training. In the DoD, this hybrid approach is commonly known as Live, Virtual, & Constructive (LVC) training. A Live training environment is where units execute training in field conditions using the unit’s tactical equipment in most cases. Live training involves real people operating real systems. Individual weapons qualification, situational training

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<sup>3</sup> Department of the Navy, *Strategic Readiness Review 2017*, cover letter to Secretary of the Navy, <https://perma.cc/D5FE-ALD>.

exercises, and field training exercises are all examples of training that take place in the live training environment. The virtual training environment involves real people operating simulated or actual systems to achieve the commander's training objectives. Units use the virtual environment to exercise motor control, decision-making, and communication skills. Constructive training uses computer models and simulations to exercise command and staff functions. It involves real people interacting with simulated units operating simulated systems.<sup>4</sup>

All the services have been forced to develop a mix of these three environments to meet minimum training standards. Many senior officers, myself included, believe that live training is the best at developing skills needed for combat, but we realize the services do not have the time nor money to get all service members honed to a razor-sharp edge in a live environment alone. It is imperative that service members be experts in their service-related jobs in order to win, and commanders who want to win know that every opportunity to maximize training is precious.

**B. Military leadership is different than corporate leadership and depends on interpersonal trust.**

In my opinion, leadership in the military is different than leadership in business. In the military, leaders may have to inspire their subordinates to follow them

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<sup>4</sup> *Field Manual (FM) 7-0, Training, June 2021, J-1.*

into life-or-death battle. Very few businesses get that intense. General Colin Powell frequently described trust as “the essence of leadership” in military settings:

One of my sergeants back in the infantry school of Fort Benning almost 50 years ago, which is where I learned everything about leadership, said to me one day: “Lieutenant! You’ll know you’re a good leader when people will follow you... if only out of curiosity.” I’ve never had a better definition. What he was saying, and I’ve seen it in my life since then, is they trust you. You have built up that trust.

How do you do it? A clear mission and statement. Selfless service. People look to you, and they trust you. You’re serving selflessly as the leader — not self-serving selflessly — and that you prepare the followers. You train them. You give them what they need to get the job done. Don’t give them a job if you’re not going to give them the resources. And you’re prepared to take the risks with them. So, they would teach us at the infantry school: no matter how cold it is, lieutenant, you must never look cold. No matter how hungry you all are, lieutenant, you must never appear hungry. No matter how terrified you are, lieutenant, you must never look terrified. Because if you are scared, tired, hungry and cold ... they will be scared, tired, hungry and cold.

I’ve gotten away with that many, many times in the course of my career by being scared to death, cold and wanting to sleep. But no! Let’s go. Let’s keep going. Let’s go around this corner, if only out of curiosity. They’ll follow you into the darkest night, down the deepest valley, and up the highest hill if they trust you. So, the essence of leadership is about doing all that the science of management says you can with resources but taking that extra step and giving it that spark. That spark comes from getting people to trust you.<sup>5</sup>

I quoted General Powell at length because every word of his explanation has been true, in my experience. Military leadership is unique and cannot adequately be compared to anything you might find in the private sector or corporate America.

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<sup>5</sup> Sec. Colin L. Powell, *Why Leadership Matters*, 2003 Department of State Leadership Lecture (Oct. 28, 2003), <https://perma.cc/K85Q-3LVJ>.



More than anything, it depends on trust. Leadership in the corporate space, while challenging in its own right, does not require one to motivate young men and women to override their human instincts and run towards the sound of gunfire. And it often does not involve taking a collection of strangers from different parts of the country and all walks of life and molding them to work as one. As I alluded in the biographical section of this report, it has been my experience that the only way that one achieves these goals in the military context is to lead by example, to ensure that your troops—and their families—are taken care of when the duty day is over, and never to ask (or order) anyone to do things you wouldn't do as well.

**V. Military readiness does not depend on racial balancing or race-based accessions.**

I understand that the Defendants assert that a racially balanced (or, racially “representative”) officer corps furthers military readiness and national security interests by (1) fostering cohesion and lethality; (2) aiding recruitment of top talent; (3) increasing retention; and (4) bolstering the military's domestic and international legitimacy.<sup>6</sup> For the reasons set forth below, I disagree with each of those assertions.

I also disagree with what I perceive to be Defendants' attempt to capture the flag on what “the military's senior leadership [has] determined” regarding military readiness and racial balancing. I know firsthand that there are many General officers inside and outside the Pentagon, including those still in active service, who disagree

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<sup>6</sup> Def's Response to Plaintiff's Interrogatory No. 13.

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with the racial reductionism that underlies Defendants' assertions about military readiness. But the military is hierarchal, and leaders tasked with implementing command decisions must not only implement those decisions but also refrain from publicly undermining them. This is simply an extension of the principle I outlined in Section VI.B of my report—that individuals follow directives and subordinate their will to that of the institution, even when they disagree. That is especially true for General officers, because they wield considerable influence over the attitudes and opinions of junior officers and enlisted troops, and because they are in the public eye and are often perceived to be speaking on behalf of all uniformed service members.

Because civilian control over the military is one of country's foundational norms, that principle applies with greatest force when the directives come from the Commander-in-Chief or the senior civilian leadership he places in charge of the Pentagon. So, they publicly support the positions or policies announced by their chain of command or, at best, remain silent, even when they disagree. I know because, until last year, I was one of them—even while assigned to multiple diversity and inclusion departments within the Pentagon.

Some of the most influential and accomplished military leaders of the modern era have also recently spoken out against race-based admissions and other policies that reduce service members to their racial and ethnic backgrounds, now that they are retired. Retired Army Lieutenant General H.R. McMaster, for instance, has

said that “nothing could be more debilitating to combat effectiveness” than allowing “people [to] be judged mainly by identity category rather than by character and ability to contribute to a team.”<sup>7</sup> Likewise, General Ronald R. Fogleman, the former Chief of Staff of the Air Force, stated in October 2022 that “[o]ur military most assuredly can defend America without resorting to extra-constitutional practices that require suspension of the Equal Protection Clause.”<sup>8</sup> General Fogleman further emphasized that “[o]fficer-enlisted racial demographic parity” is “unnecessary for our military to be combat-effective” and that policies that attempt to achieve such parity “dilute[] quality,” “weaken merit,” “erode morale,” “undermine unit cohesion,” and “compromise combat effectiveness.”<sup>9</sup>

**A. Mission accomplishment does not depend on racial balancing or race-based accessions.**

Defendants broadly claim that a the military will be better able to accomplish its mission if the racial demographics of the officer corps align with those of the enlisted corps and broader society.<sup>10</sup> In support of this assertion, they claim that a racially representative force “fosters cohesion and lethality” because an imbalance in racial representation leads to breakdowns in discipline and racial unrest, and

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<sup>7</sup> H.R. McMaster, *Preserving the Warrior Ethos* Nat. Rev. (Oct. 28, 2021), <https://perma.cc/7N48-W49V>.

<sup>8</sup> Ronald R. Fogleman, *No, Affirmative Action In The Military Doesn't Boost National Security, It Erodes It* The Federalist (Oct. 25, 2022), <https://perma.cc/U3B6-KUJT>.

<sup>9</sup> Ronald R. Fogleman, *No, Affirmative Action In The Military Doesn't Boost National Security, It Erodes It* The Federalist (Oct. 25, 2022), <https://perma.cc/U3B6-KUJT>.

<sup>10</sup> Def's Response to Plaintiff's Interrogatory No. 13.

troops are more likely to have trust and confidence in leaders who look like them.<sup>11</sup> They likewise argue that military units inherently perform better when they are racially diverse; that racially diverse units have broader viewpoint diversity and are less susceptible to “group thinking”; and that racial diversity increases cultural awareness and leads to better interactions with allies and civilians in foreign countries.<sup>12</sup> In my opinion, none of these statements are accurate.

**1. Unit cohesion will not suffer.**

The Defendants in this case appear to believe that unit cohesion depends on a delicate equilibrium between the racial composition of the officer corps and that of the enlisted corps. I disagree, for several reasons.

*Servicemembers are primarily concerned about the competence of those around them, rather than race or ethnicity.* USNA claims that the military will revert to the racial unrest of the Vietnam era if the racial demographics of the officer corps do not mirror the racial demographics of the enlisted corps or those of broader society.<sup>13</sup> I disagree with this assessment. Invoking visions of the 1972 riot on the U.S.S. Kitty Hawk, as the Academy does,<sup>14</sup> is disingenuous and ignores critical facts and context.

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<sup>11</sup> Def’s Response to Plaintiff’s Interrogatory No. 13.

<sup>12</sup> Def’s Response to Plaintiff’s Interrogatory No. 13.

<sup>13</sup> Def’s Response to Plaintiff’s Interrogatory No. 13.

<sup>14</sup> See Def’s Response to Plaintiff’s Interrogatory No. 13.

First and foremost, racial relations have vastly improved in the United States since the Vietnam conflict. Second, the DoD relies on an all-volunteer force, and during the Vietnam conflict, the draft was in force.

President Lyndon Johnson's expansion of American involvement in the Vietnam War in 1965, and the massive increase in conscription that accompanied it, had an immediate and disproportionate effect on the Black community. Almost overnight, "draft calls [were] doubled to 35,000 [troops] a month to provide the manpower."<sup>15</sup> The announcement triggered a scramble for draft deferments, but nearly every path to a deferment required financial resources, educational opportunities, or both. Thus, "class factor[s]" like "one's economic position" and social connections played a "crucial" role in determining who got drafted and who stayed home.<sup>16</sup>

Because only 5 percent of Black men in America attended college at the time, university deferments—ubiquitous in upper middle class and wealthy communities—were unattainable for most.<sup>17</sup> Lucrative National Guard assignments, which provided institutional shelter from tours in Vietnam, were largely allocated at the local level and often filled by well-connected members of the community. In many

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<sup>15</sup> United Press International, *U.S. Draft Call Doubled*, (July 28, 1965), <https://perma.cc/ZQ26-PYQ5>.

<sup>16</sup> James Burk & Evelyn Espinoza, *Race Relations Within U.S. Military*, *Annu. Rev. Sociol.* 401, 412 (2012); *see also* Morris Janowitz & Charles C. Moskos, *Five Years of the All-Volunteer Force: 1973-1978*, *Armed Forces & Society* (1979).

<sup>17</sup> Amy J. Rutenberg, *Rough Draft: Cold War Military Manpower and the Origins of Vietnam-Era Draft Resistance* 157-87 (Cornell University Press 2019).

parts of the deep south, the combination of local control and ingrained racial prejudice often meant that Guard assignments were off-limits to Black members of the community entirely. For example, “[i]n 1969, only one of the more than ten thousand members of the Mississippi National Guard was black in a state where 42 percent of the population was African American.”<sup>18</sup>

In short, the combination of wealth as a determinative factor for deferment eligibility and pre-existing economic disparities meant that “64% of all eligible African-Americans were drafted, [compared to] only 31% of eligible whites.”<sup>19</sup> Moreover, disparities in Armed Services Vocational Aptitude Battery (“ASVAB”) scores, driven in part by the fact that most of the draft-eligible population were educated in the years before and immediately after *Brown v. Board*, also meant that Black men who were drafted were more likely to be placed in Army or Marine Corps infantry units (which had the lowest eligibility thresholds and the highest casualty rates). Altogether, these factors caused Black Americans’ proportion of the war dead to triple in a year’s time, from 6.5% before 1965 to nearly 21% in 1966.<sup>20</sup>

Meanwhile, the Civil Rights Movement of the 1960s and 70s dramatically increased racial tensions, particularly after Martin Luther King Jr’s assassination in

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<sup>18</sup> Rutenberg at 175.

<sup>19</sup>Amistad Digital Resource, *Black Opposition to Vietnam*, Columbia University, <https://perma.cc/YX2Z-8XX2>.

<sup>20</sup> Burk & Espinoza at 412.

1968. Riots broke out in over 100 cities following the assassination, and several parts of the country enacted martial law.<sup>21</sup> The 1968 Democratic National Convention was also a watershed moment of political violence, where Black and White anti-war protestors alike rioted in protest of the Vietnam War. Furthermore, several important Black popular figures—such as Muhammad Ali, Martin Luther King Jr., and Malcolm X— advocated against the draft and against Blacks serving in the war altogether.

The rapid increase in draftees and elevated societal tensions imported a lot of discord into the ranks in a very short period of time. The result was a “level of dysfunction that had never been experienced by the Armed Services before, and most commanders were untrained, unskilled, and unprepared to cope with the conflict.”<sup>22</sup> Even then, racial conflicts in the ranks during the Vietnam era were significantly less common in units that were actually serving in combat (versus those in the rear areas where the contagious effects of continental U.S. racial problems were able to fester). That fact is difficult to square with Defendants’ simplistic version of history, in which race is remains the dominant factor even on the battlefield.

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<sup>21</sup> See, e.g., Erin Blakemore, *Why People Rioted After Martin Luther King Jr.’s Assassination*, History, (Oct. 2, 2023), <https://perma.cc/B5ZB-ZTBJ> (description of the occupation of Wilmington, Delaware).

<sup>22</sup> Schuyler C. Webb & William H. Herrmann, *Historical Overview of Racism in the Military* 16, Defense Equal Opportunity Management Institute, (Feb. 2022), <https://perma.cc/3HLR-NR66>.

In any event, “[t]here is consensus that military race relations [have] improved dramatically” in the post-draft era.<sup>23</sup> “When the Persian Gulf War was fought in 1991, it was the first war in the twentieth century in which military race relations—measured by a lack of media attention—were not an issue.”<sup>24</sup> There were no significant incidents of racial conflict throughout the rest of the 1990s, even during periods of severe domestic strife like the Rodney King riots and the O.J. Simpson Trial. Certainly, there was nothing on the scale of the Kitty Hawk riot.<sup>25</sup> The same is true today. There were no reports of unrest within the military after the May 2020 death of George Floyd, even as protests and violence engulfed cities across the country.

Third, in all my forty years in uniform, I never saw any situation get remotely close to the unrest that USNA predicts, and the demographics of the officer corps have never mirrored broader society. In my experience, the number one criteria service members are looking for in a leader is his or her combat competence. That is especially true for members in operational and combat arms occupations, for whom the primary concern is “what helps me to survive.” I have seen this demonstrated over and over again, from when I was a cadet, to combat situations in my field grade officer days. As cadets, in survival training, we were teamed up to evade aggressors across miles of forest and left to survive on whatever food we could obtain by

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<sup>23</sup> Burk & Espinoza at 414.

<sup>24</sup> Burk & Espinoza at 402.

<sup>25</sup> See Webb & Herrmann at 16.



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foraging or hunting. No one looked at race or ethnicity. We looked to follow people who knew what they were doing so we would have a better chance at finding scarce food and navigating to our escape points without being apprehended.

When I trained for combat as part of an aircrew, everyone watched to see who was competent at their job and who was incompetent. Everyone knew where each individual aircrew member fell on that scale. When we knew war deployments were approaching, aircrew members would sometimes beg our flight schedulers to put them on crews with the best pilots, navigators, flight engineers, and loadmasters. They would also try to bargain their way out of being sent into combat with the worst aircrew members. Nobody was concerned about being assigned to crews with people who “looked like them.” They wanted to be alongside the people who were most likely to accomplish the mission while bringing everyone home safely.

These actions are all attributable to the will to survive. Even during World War II, when segregation was still in full swing, white bomber crews eventually disregarded race because of their will to survive. White Army Air Corps commanders initially resisted putting the Tuskegee Airmen into combat, but after seeing what the crews in the unit were capable of, “the other bomber crews would request them. That’s why Colonel Davis [the commander of the Tuskegee Airmen] later named his plane ‘By ReQuest,’ because all of these bomber crews started asking for them... The Tuskegee Airmen had about 180 bomber escort missions and they lost only about 25

to 27 bombers, and the average for bomber loss was about twice that. You were most likely to come back alive if the Tuskegee Airmen were protecting you.”<sup>26</sup>

***Servicemembers do not follow leaders based on race or ethnicity.*** USNA similarly claims that racially diverse officers are better able to lead racially diverse troops. I have not found this to be true in my forty years in uniform. As I noted above when quoting General Colin Powell, trust is critical for military leadership. I have found that leaders obtain trust by (1) being not only competent, but excellent at their jobs; (2) listening to the concerns of their troops; (3) mentoring their troops, and (4) caring for the well-being of their troops and their families. To the extent that USNA claims that any of the above is affected by race—or that leaders of some races are better equipped to accomplish these things than others—I think the Academy is stereotyping people by race.

USNA’s corollary argument is that enlisted servicemembers are more likely to trust and follow leaders who “look like them.” To the extent that this assertion is based on the belief that cultural understanding improves empathy, I can partially agree. That said, not all Black people have the same culture. Not all Asian people have the same culture. Not all Hispanic people have the same culture. Not all White people have the same culture. So, in essence, leaders of all races, ethnicities, and

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<sup>26</sup> Rachel Graf, *The Tuskegee Airmen: A Legacy of Excellence and Perseverance*, <https://perma.cc/ZCD6-VV77>.

cultures will have to master the basic tenets of leadership to inspire their troops. Enlisted service members, even those who are initially delighted to have a commander who “looks like them,” will ultimately revert to determining if the leader is trustworthy, competent, listens intently, and takes care of them. If the leader fails in any of those things, it will not matter to those enlisted service members that the leader happens to “look like them.” The enlisted service members will not have a favorable opinion of that leader.

**2. There is no evidence to suggest that racially balanced units are more effective at their missions and my experience suggests this is not the case.**

USNA argues that racially balanced units are simply more effective at their missions and better at “problem solving” and “adapt[ing] to unscripted challenges.”<sup>27</sup> I have never seen any data that supports this conclusion, nor have I ever heard of any unit attempting to “leverage” this so-called advantage in an operational setting. The latter, in my opinion, is especially telling. Military leaders—and General officers in particular—are obsessive about pursuing anything that might give them an edge on the battlefield, because failure means that some of our country’s best may lose their lives. If this well-documented advantage existed, as Defendants claim, one would expect to see leaders rushing to operationalize it.

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<sup>27</sup> Def’s Response to Plaintiff’s Interrogatory No. 13.

In my experience, the best performing units have officers and non-commissioned officers (NCOs) who lead the unit in vigorous and realistic training. Even if racial balancing provided some benefit in a vacuum, adopting that approach would still be a net negative, because it would form tribal pockets within the unit instead of bringing it together. The only effective method of creating effective units is strong and competent leadership.

In my decades of service, I have not witnessed racial diversity affecting the performance of any units. Calling diversity a “strategic imperative” is inaccurate from my experiences. If the DoD leadership wants more racial diversity as a “moral imperative,” then it should say so. But even then, if the goal is to build an effective fighting force to win wars, then we should not—and do not have to—use preferences that lower standards to achieve this moral imperative.

***Lack of Evidence.*** Despite all of my time in the Pentagon and in command positions, I am not aware of any study conducted by the Department of Defense that compared units’ performance outcomes with their racial and ethnic diversity levels and found that increases in the latter led to improvements in the former. As even the President of Morehouse College (an HBCU), Dr. David A. Thomas, has recognized, “[t]hese rallying cries for more diversity in companies, from recent statements by CEOs, are representative of what we hear from business leaders around the world. They have three things in common: All articulate a business case for hiring more

women or people of color; all demonstrate good intentions; and none of the claims is actually supported by robust research findings.”<sup>28</sup> A similar phenomenon is true here.

***Reliance on Flawed McKinsey Study.*** While serving in SAF/DI, the senior civilian leaders in the Pentagon encouraged airmen to use the talking points that “Diversity is our Strength,” and “Diversity is a Strategic Imperative.” They based these conclusions mostly on McKinsey studies from 2015, 2018, and 2020 that purported to find that increases in racial diversity led to increases in profitability for corporations. Thus, it is unsurprising to me that the 2018 McKinsey study was one of the documents the Naval Academy has produced in this case to support its assertions about diversity, that other documents it produced rely partly or entirely on McKinsey’s conclusions, and that the 2015 McKinsey study appears in the diversity and inclusion training the Naval Academy’s admissions office receives.<sup>29</sup>

When reading these studies, however, I found that McKinsey was careful to state that they’d found correlation, not causation—even though its public statements strongly implied the latter was true. In a study published in Econ Journal Watch in

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<sup>28</sup> Robin J. Ely & David Thomas, *Getting Serious About Diversity: Enough Already with the Business Case*, Harvard Business Review (Dec. 2020), <https://perma.cc/2KH2-Z92W>.

<sup>29</sup> See, e.g., USNA-00013061-76; USNA-00028602 at Slide 4.

March of 2024 by Professors Jeremiah Green and John R. M. Hand, McKinsey's findings were debunked and shown to have serious flaws in methodology.<sup>30</sup>

***Inapplicability of corporate studies.*** But even if McKinsey had truly established correlation or causation between racial diversity and corporate profits, that finding would be irrelevant to military readiness. Corporate boardroom practices and quarterly profits have little to do with fighting and winning wars. As discussed earlier in my report, corporate leadership and military leadership are apples and oranges. Indeed, if the Department of Defense had evidence that racially balanced units were more effective in combat, one would expect the services to base unit and duty station assignments at least partially on race. But no branch of the military has enacted such policies, nor, to my knowledge, have any seriously considered them.

When I served in the Department of the Air Force Office of Diversity and Inclusion, I always thought the military's senior leadership was pushing a narrative that few warriors actually believed. I knew that to be true because I talked to the troops inside and outside of the Pentagon and asked for their opinions. Many were initially afraid to tell me what they really felt, probably because they assumed that as a Black officer serving in that office, I was totally on-board with the narrative.

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<sup>30</sup> Jeremiah Green & John Hand, *McKinsey's Diversity Delivers/Matters/Wins Results Revisited*, 21 Econ. J. Watch 5, (2024), <https://econjwatch.org/File+download/1296/GreenHand-Mar2024.pdf>; see also James Mackintosh, *Diversity Was Supposed to Make Us Rich. Not So Much*, Wall Street Journal, \*June 28, 2024), <https://on.wsj.com/4bJkrci>.

But once I gained trust, I heard how many in the military really felt about the DEI program. They did not buy it.

*USNA's use (or non-use) of racial preferences has "low leverage" over the racial composition of the officer corps, regardless.* All else aside, the racial demographics of the officer corps do not rise or fall based on the Naval Academy's consideration of race in admissions. Based on the documents produced by the Naval Academy in this case, I understand that the Academy invited the Boston Consulting Group ("BCG"), one of the three largest management consulting firms in the world by revenue, to assess its admissions policies and operations in 2022.<sup>31</sup>

The Academy provided BCG with "troves of data" to guide its assessment. The BCG team, which was "largely comprised of USNA graduates," also reviewed "open-source data, [USNA's] archives, and conduct[ed] surveys."<sup>32</sup> After reviewing that data, BCG concluded that "USNA alone has low leverage to change the composition of overall fleet officers."<sup>33</sup> Because Academy graduates comprise a relatively small percentage of new Navy and Marine officers each year, it is simply "not possible for USNA alone to raise minority representation" in the officer corps "to match [the] fleet enlisted share."<sup>34</sup> For example, "[i]f USNA grads mirrored fleet enlisted

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<sup>31</sup> USNA-00025356.

<sup>32</sup> USNA-00025356.

<sup>33</sup> USNA-00016806.

<sup>34</sup> USNA-00016806.

composition (52%/48%), this would only have a 5% impact on fleet officer corps in total.”<sup>35</sup> In fact, even if 100% of Academy graduates each year were racial and ethnic minorities, the diversity of the officer corps still wouldn’t reach that of the enlisted corps. BCG’s takeaway from this data was that “Non-USNA commissioning sources” are a “critical factor” to “increas[ing] officer diversity.”<sup>36</sup> I agree.

### **3. Race is not an effective proxy for viewpoints or life experiences**

USNA argues that race is an effective proxy for diversity of viewpoints and backgrounds. In particular, USNA argues that “people from different backgrounds, groups, regions, and cultures experience security and conflict differently, particularly ... those from minority or underrepresented groups.” They may have a point, but I think race is more likely correlated than causal. As I was growing up in Queens, NY, I found that in Black and Hispanic neighborhoods, the cultures of different families depended on country of origin rather than the way people looked. Black families who had roots the Caribbean had a different culture than Black families who had roots in the American South. Hispanic families with Puerto Rican roots had a different culture from Hispanic families with Dominican roots or South American roots. When I attended USAFA, I met Black cadets from California, the deep South, Texas, Chicago, and even the UK. I quickly found that we did not all think alike nor have

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<sup>35</sup> USNA-00016806.

<sup>36</sup> USNA-00016806.



the same experiences. As I lived around the United States during my tenure in the Air Force, I observed Black people and White people who related to each other based on their level of poverty. It seemed to me that socioeconomic status tends to bring people together just as much as race.

**4. Race is not an effective proxy for cultural awareness, familiarity with foreign nationals, or knowledge of foreign languages.**

USNA argues that a racially balanced force will be more culturally aware and better able to interact with foreign partners and local nationals. That is a misplaced assumption. USNA appears to imply that race has something to do with knowledge about foreign cultures. But that is only accurate when the individuals in question were born and raised in that foreign culture and speak the same language. Otherwise, USNA's assumption relies on crude racial stereotypes. I am the son of Jamaican immigrants and grew up in Queens, New York. Just because I am Black doesn't mean that I would understand the cultural background of a Kenyan Air Force officer or Nigerian Army officer any more than a White United States officer would. I know that firsthand from my deployment to Kenya. When we arrived, U.S. personnel from all races and ethnicities started at ground zero to learn the culture. Those who bothered to learn some Swahili and engage with local nationals learned faster and were more effective than those who chose to stay in their rooms. It had nothing to do with race.

**B. Removing race-based accessions will not harm recruiting.**

USNA argues that the military will not be able to recruit the best and the brightest without racial preferences. Regarding the high standards needed (normally) to gain an appointment to the service academies, I fully agree with a model that economist and Harvard professor Roland Fryer suggested. “In the months leading up to last week’s Supreme Court rulings, multiple news reports have given us a sense of how selective schools are planning to respond to its widely anticipated decision to end affirmative action: in part, by watering down their admissions standards, through policies like reducing or eliminating the role of standardized tests. If there aren’t enough Black and Hispanic applicants who can perform at the level a college would normally require, the thinking goes, then schools should drop some key measures of performance to admit those students anyway.”<sup>37</sup>

Like Fryer, I believe this calculus is “precisely backward” and that “[i]nstead of making the admissions process shallow,” elite institutions like the Academy “should deepen the applicant pool.”<sup>38</sup> Currently in New York City, there are more than 50 charter schools operated by the Success Academy. These charter schools have mostly “minority” children, and they vastly outperform other charter schools and the NYC Public Schools. As a General officer in the military, I would see this as

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<sup>37</sup> Roland G. Fryer, Jr., *How to Fix College Admissions Now*, New York Times (July 5, 2023), <https://perma.cc/5SSK-H9G2>.

<sup>38</sup> Roland G. Fryer, Jr., *How to Fix College Admissions Now*, New York Times (July 5, 2023), <https://perma.cc/5SSK-H9G2>.

an obvious fountain of talent for my units, and if the service academies were serious about recruiting high-performers rather than looking only at skin color, they would not only target these schools, but also partner with these schools.

The BCG report discussed above also found that brand awareness was low for service academies, with USNA being the lowest. “Only 35% of students were aware of USNA, compared to 39% for USMA and 48% for USAFA.”<sup>39</sup> One of BCG’s recommendations was to “deepen engagement in geographies where USNA appointments are under-competitive.”<sup>40</sup> But it shouldn’t take an expensive study to know that many of the high-performance youth at these types of charter schools who are from the low end of the socioeconomic spectrum would be delighted to know there are top-tier academic institutions in the nation that will not only pay their tuition, but also pay them a monthly stipend. Additionally, if these youth knew that they had guaranteed careers waiting for them upon graduation as officers in the military, with the options of flying jets, being cyber operators, commanding submarines or destroyers, or getting medical school paid for, I am quite sure they—and their parents—would clamor for the opportunity.

It also bears emphasizing that, while the DoD’s focus on racial identity has increased markedly over the past several years, recruiting yields have steadily

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<sup>39</sup> USNA-00016814.

<sup>40</sup> USNA-00016814.

declined. It strikes me as no coincidence that declines in recruiting are occurring in tandem with declines in trust in the military as an institution. The Reagan Institute has surveyed “Americans’ level of trust and confidence” in the military every year for the past six years.<sup>41</sup> In 2018, 70 percent of Americans expressed “a great deal of confidence” in the military.<sup>42</sup> Last year, that number was 48 percent.<sup>43</sup> This year, it’s 46 percent.<sup>44</sup> In fact, DoD *itself* has identified the “[d]ecline in trust in the military” as one of the reasons for its recent recruiting challenges.<sup>45</sup> What it may not realize is that “Reagan Institute polling revealed the reason behind the decline in confidence as a growing perception of politicization of military leadership.”<sup>46</sup>

What makes young people of all backgrounds want to serve and excel? From my experience, young people want to belong to something greater than themselves and to be challenged and overcome those challenges. Over the last few years, the United States Marine Corps is the only military service to avoid a recruiting shortfall. Why is that? From what I have witnessed in my forty years in uniform, the USMC

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<sup>41</sup> Ronald Reagan Institute, *Reagan National Defense Survey* (Nov. 2023), <https://perma.cc/5KNM-PFUP>.

<sup>42</sup> Ronald Reagan Institute, *Reagan National Defense Survey* (Nov. 2023), <https://perma.cc/5KNM-PFUP>.

<sup>43</sup> Ronald Reagan Institute, *Reagan National Defense Survey* (Nov. 2023), <https://perma.cc/5KNM-PFUP>.

<sup>44</sup> Ronald Reagan Institute, *Reagan National Defense Survey* (Nov. 2023), <https://perma.cc/5KNM-PFUP>.

<sup>45</sup> USNA-00021443.

<sup>46</sup> Ronald Reagan Institute, *Reagan National Defense Survey* (Nov. 2023), <https://perma.cc/5KNM-PFUP>.

stays on message and exudes excellence and fierceness. Their motto, “The Few, The Proud” suggests to everyone that the Marines are a cut above. While other services have lowered physical standards and made their basic training environments a little less challenging, the Marine Corps has refused to change. Thus, a Marine who graduated boot camp in 1968 can look at a Marine who graduated boot camp in 2023 and rest assured that the new Marine deserves to wear that uniform. Additionally, the USMC has adopted a policy of assigning their best and brightest for recruiting duty rotations, making the interactions with prospective recruits more impactful.<sup>47</sup>

The Army recently set up a program that targets recruits who fail to meet the minimum score of 30 on the Armed Services Vocational Aptitude Battery (“ASVAB”)—the DoD test measuring potential recruits’ academic and occupational abilities on a scale from 0 to 99—and provides schooling for several weeks to help them pass. Already more than 8,800 recruits have successfully gone through the classes, raised their scores and moved on to basic training. The Navy is taking another route with a pilot program that allows up to 20% of their recruits to score below 30 on the test, as long as they meet specific standards for their chosen naval job. Marine leaders, however, do not take those lowest scoring recruits, and so far have no plans

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<sup>47</sup> Lolita C. Baldor, *‘The Few, the Proud’ Aren’t so Few: Marine Recruiting Surges While Other Services Struggle*, AP News, (July 29, 2023), <https://perma.cc/E25H-GNZ8>.

for any type of formal improvement program such as the Army's.<sup>48</sup> In February 2023, General Eric Smith (then the assistant Commandant of the Marine Corps, and now the Commandant) remarked, "[s]ome say we should be giving out recruiting bonuses. We don't give recruit bonuses." He added, "[t]he reason that we don't [give] bonuses? Your bonus is you get to call yourself a Marine. That's your bonus, right? There's no dollar amount that goes with that."<sup>49</sup> In my opinion, the military will enjoy far more recruiting success if tries to replicate the USMC's approach force wide than it will by focusing on irrelevant personal characteristics like race.

While at the Pentagon, I requested and received official data from the U.S. Air Force Academy (USAFA) about the number of cadets selected for pilot training amidst the force-wide shortage in aviators. I quickly noticed a racial disparity in the numbers—a much smaller percentage of Black cadets, across all percentiles of class rank, were going to flight school than every other racial demographic—and chose to investigate further. At first blush, it looked like Black cadets were being denied pilot training slots. This was not the case. In scores of conversations with officers from the USAFA Admissions Office and the Superintendent of USAFA, I found that many of the minority cadets did not have a propensity to serve as pilots. I was told that

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<sup>48</sup> Lolita C. Baldor, *'The Few, the Proud' Aren't so Few: Marine Recruiting Surges While Other Services Struggle*, AP News, (July 29, 2023), <https://perma.cc/E25H-GNZ8>.

<sup>49</sup> Lolita C. Baldor, *Highly Decorated Marine Officer Nominated to be Next Commandant*, AP News, (May 31, 2023), <https://perma.cc/USD6-CA32>.

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USAFA leadership saw this trend as well, and they endeavored to mentor and coax more Black cadets to pursue careers as pilots. I was told that most of the Black cadets wanted to pursue Air Force careers that would enable them to get out of the military after a five-year commitment and pursue a civilian career. Those cadets who choose to go to pilot training have a ten-year commitment after finishing pilot training (when I graduated USAFA in 1988, the service commitment for pilots was eight years, but it was increased to ten years to attempt to mitigate the pilot shortage).

Based on the documents produced by the Naval Academy in this case, I understand that similar trends are observable there, as well. I read the USNA's "Class Year Count by Service Assignment by Race-Ethnic Group tables from 2014-2024." The trend was similar to what I remember seeing at USAFA. I have compiled a table of percentages of USNA Midshipmen who volunteered for Navy Pilot and USMC Pilot slots.<sup>50</sup>

Commissioned Navy from USNA- Count (percentage) by Service Assignment by Race-Ethnic Group (Navy Pilot)			
Year	White	Hispanic or Latino	Black or African-American
2014	31	30	13
2015	34	27	8
2016	33	26	20
2017	31	34	6
2018	32	29	6
2019	31	28	16
2020	35	25	9

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<sup>50</sup> USNA-00030476-86.

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2021	35	20	7
2022	37	23	13
2023	31	31	21
2024	31	28	16

Commissioned Marine Corps from USNA- Count (percentage) by Service Assignment by Race-Ethnic Group (USMC Pilot)			
Year	White	Hispanic or Latino	Black or African-American
2014	41	38	20
2015	38	30	21
2016	39	26	0.2
2017	34	32	33
2018	28	13	12
2019	41	28	36
2020	36	13	27
2021	38	32	21
2022	29	35	12
2023	27	30	0
2024	36	23	25

I find the trend alarming. Black Midshipmen appear to be choosing pilot training at a statistically-relevant lower rate than their White and Hispanic counterparts. I say “choosing” because, according to a 2022 presentation USNA prepared for its Board of Visitors (BoV), 95.1% of Midshipmen received their 1st or 2nd choice of assignment and 82.9% received their 1st choice of assignment.<sup>51</sup>

While serving in Secretary of the Air Force Office of Manpower and Reserve Affairs and the Sec/DI, I had the opportunity to travel around the United States talking to young people and trying to inspire them to serve as career officers in the

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<sup>51</sup> USNA-00021332.



military. I often identified smart and talented youth whom I would try to mentor. When I spoke to many youths, I noticed a trend. Many wanted to use the military to get a skill and then get out of uniform to make money. In most cases, it was because their parents (or other community influencers) were giving them that advice. This is not necessarily a bad thing, but I began to see a trend that military careers are becoming more and more a club for the “warrior class.” Most of the youth who envisioned themselves in a full career in operational and combat arms career fields were from military families.

**C. Removing race-based accessions will not harm retention.**

USNA argues that the military will not be able to retain its best and brightest if the force is not racially balanced. I disagree. From my forty years of experience, service members are more concerned if their organization is excellent and will be able to win wars if the nation calls. As I have stated before, for operational service members, the number one concern is, “what helps me to survive?” Excellence and tactical competence are far more important. It is even more important to seasoned service members who the services may be trying to retain than it is for new recruits.

Furthermore, the DoD’s own data does not support Defendants’ claim here. For starters, Black, Hispanic, and Asian enlisted servicemembers all reenlist at statistically higher rates than white enlisted servicemembers.<sup>52</sup> A February 2019 study

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<sup>52</sup> USNA-00011709.

by the Center for Naval Analyses, commissioned by the DoD, also found that first-term attrition rates were “uniformly” lower for Black and Hispanic sailors than for White sailors.<sup>53</sup> And a “racial equity series” of surveys that focused specifically on military families from racial or ethnic minority backgrounds and was produced by Defendants in this case found that quality of life concerns are by far the largest reason why minority servicemembers leave the force.<sup>54</sup> My own conversations with departing officers and enlisted troops are consistent with these results.

Finally, the argument that racially and ethnically diverse junior officers need mentors that “look like them” to remain in the service and advance in the ranks is based on the same flawed premise as the Navy’s unit cohesion arguments: that service members’ primary concern is race and that they view their profession foremost through that lens.<sup>55</sup> That has never been true in my experience. Some of my mentors were Black, others were White. I can recall three pivotal experiences in my career where a more experienced officer pulled me aside and advised me to correct course. All three of those men were White, but I took their advice to heart because I trusted them, and they were experienced leaders. I would never have become a General officer if I hadn’t.

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<sup>53</sup> USNA-00030160.

<sup>54</sup> USNA-00009731.

<sup>55</sup> Def’s Response to Plaintiff’s Interrogatory No. 13.

**D. Removing race-based accessions will not harm the military's institutional legitimacy.**

Defendants claim that the military will lose the public's trust if the racial composition of the officer corps does not mirror the demographics of American society. I find this concern to be entirely unfounded. First, I note that Defendants have not cited any statistical evidence to support this contention, and I encountered no such evidence while working on racial diversity issues in the Pentagon and the Secretary of the Air Force Office of Diversity and Inclusion. Second, the military in 2024 is an *all-volunteer* force. The individuals who comprise it are those who have self-selected from among the broader population. Accordingly, the demographics of the services are the aggregate product of individual preferences, rather than the result of racial percentages dictated from the top down. Finally, racial preferences themselves are broadly unpopular across all demographics. Given that clear majorities of Americans oppose differential standards based on race,<sup>56</sup> it defies logic to assert that eliminating preferences will trigger a crisis of institutional trust in the military. If anything, it stands to reason that perpetuating such preferences poses the greater threat to the military's institutional legitimacy.

Defendants similarly claim that the military's "legitimacy among its international partners" and ability to "attract[] new international partners" will suffer if the

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<sup>56</sup> Pew Research Center, *More Americans Disapprove Than Approve of Colleges Considering Race, Ethnicity in Admissions Decisions* (June 8, 2023), [perma.cc/WWR5-DVRU](https://perma.cc/WWR5-DVRU).

officer corps does not reach a certain (unspecified) level of racial diversity.<sup>57</sup> I understand that one of the documents Defendants produced to support this assertion is an article theorizing that America's adversaries will use an absence of racial diversity in senior military leadership and any public incidents of racial strife to undermine America's standing and moral authority on the international stage.<sup>58</sup> This is irrelevant, even if one assumes it to be true. We don't change our personnel policies based on propaganda from adversaries like China or Russia. We certainly never do so by watering down standards. (And as a strategic matter, adjusting course in response to baseless accusations, even if only to avoid inaccurate "perceptions," would only signal weakness and show that information operations can successfully manipulate our defense policies.)

**VI. Using race as a factor in officer accessions undermines trust in leadership and is counterproductive to unit cohesion.**

Racial preferences are not just unnecessary for military readiness. They are harmful in and of themselves. Thus, eliminating them will *improve* readiness by restoring trust in standards-based leadership and reducing the threats to unit cohesion posed by perceptions of favoritism.

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<sup>57</sup> Def's Response to Plaintiff's Interrogatory No. 13.

<sup>58</sup> See USNA-00011246.

**CONFIDENTIAL****A. Using race undermines trust in leadership.**

I am thoroughly convinced, after 40 years in uniform and multiple tours of combat, that subordinates look up to and respect their officers and NCOs based on performance, ability to inspire, and the will to win/survive.

Every one of us who are sports fans knows that the top tier teams (who are incidentally very diverse) do well and succeed no matter the race or ethnicity of their coaching staff and players. I cannot see how anyone would say the military is different. Both the military and professional sports teams are operating under a cardinal rule, “winning is everything.” Professional sports team want to win for the glory, and the military wants to win for survival (and sometimes glory). When leaders focus on irrelevant characteristics like race, it undermines trust among the rank and file by signaling that their highest priority is something other than the bottom-line results everyone believes they signed up to achieve.

**1. Racial preferences undermine trust in capable minority officers.**

General C.Q. Brown, in his July 11, 2023, chairman of the Joint Chiefs of Staff Senate confirmation hearing, stated his view of merit-based promotions and personnel decisions. When asked about diversity, Brown said troops of all backgrounds and colors wanted fair opportunities to excel in the military but wanted to be rewarded for their performance. “From my own career ... flying F-16s, I didn’t want to be the best African American F-16 pilot, I wanted to be the best F-16 pilot,”

Brown said. “I did not want to be provided a position or promotion based on my background. I wanted it based on the quality of my work and I think that’s the aspect all of our service members look for.”<sup>59</sup>

Similarly, the late General Benjamin O. Davis, Jr. once turned down a job dealing with racial matters because “it did not carry enough authority for me to be effective, and I did not like the idea of being chosen for a job on the basis of my race.”<sup>60</sup> I myself share these views. When I rose to become the Chief of Staff of the West Virginia Air National Guard and then was elevated to Assistant Adjutant General-Air of the West Virginia National Guard and Commander of the West Virginia Air National Guard, news outlets celebrated the fact that I was the first “African-American” General officer in the West Virginia National Guard. This made me very uncomfortable, because I always dreaded people would think I was promoted for political reasons rather than on merit. That fear made me strive to be the best officer I could possibly be. I volunteered for duties and deployments worldwide (even as a General) to ensure everyone who heard of me knew I was a true military asset.

Personally, I firmly believe that racial preferences are insulting to minority servicemembers. As economist and Brown University professor Glenn Loury said,

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<sup>59</sup> Svetlana Shkolnikova. *Gen. CQ Brown, Nominee for Joint Chiefs Chairman, Vows to Keep Politics Out of Military*, Stripes (July 11, 2023), <https://perma.cc/5N87-AYU3>.

<sup>60</sup> Benjamin O. Davis, *American: An Autobiography*, 331 (Washington: Smithsonian Institution Press, 1991).

“If you use a different standard of assessment in order to achieve equity, you’ve just patronized me. You just communicated tacitly that you don’t think I’m capable of performing according to the objective criteria of assessment as well as anybody else. ... This argument that ‘We Blacks must be made equal and you have to open up the door and let us in, never mind that our test scores are not as great,’ is pathetic. It’s a surrender of dignity. You will not be equal at the end of that argument even if you get what you ask for. There’s no substitute for earning the respect of your peers: If they grant it to you out of guilt or pity, they have just reduced you, not elevated you.”<sup>61</sup>

**2. Race-based accessions undermine trust in the promotions process and the senior leadership in charge of it.**

As a colonel and as a brigadier general, I was required to participate in numerous boards that were chartered to pick service members who would go to the most prestigious schools, service members who would get the key jobs, and service members who would get promoted. We were sworn to secrecy relating to the board proceedings, but I can tell you this. The service members were watching the results. Even service members who were not considered on those boards were watching. If they thought someone was picked who did not deserve it, and someone else was passed over who definitely deserved it, there would be unrest in the ranks. And it

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<sup>61</sup> Glenn Loury, *We Are Fighting for Western Civilisation*, UnHerd (Jan. 19, 2023), <https://perma.cc/J8JD-P682>.

was not necessarily White service members rallying for White, or Black service members rallying for Black. They all knew who the performers were, and who weren't. As senior leaders and board members, we always kept this in mind. If we promoted people who did not deserve it, our reputations would suffer amongst all the troops.

**B. Using race is counterproductive to unit cohesion.**

Military members, especially operational or combat arms service members who have made it high in enlisted or officer ranks, are not shy. They are mostly type-A people who will let you know what they are thinking, no matter what your rank is. They will voice their opinion about other service members in their units if that particular service member is not performing. And if they perceive that another service member was promoted or given a favor due to race, they will let it be known. It would be even worse if race-based promotion/advancement/selection was published policy. They will not tolerate anything except merit-based advancement within their particular units. Demoralization would be the rapid result of using race-based selections.

**1. Racial preferences undermine the shared identity and commonality of purpose necessary for unit cohesion.**

To begin, any shared identity and commonality of purpose is based upon the service's mission and the service's core values. This is drilled into all new recruits during basic training. In the military, one's uniform signifies the shared identity. In



my vast experience, the military (during basic training especially) will break down pre-conceptions, biases, and value systems and build recruits up with the respective service's value system. The main reason recruits get their heads shaved and all wear the same uniform is to emphasize they are no longer the people they grew up as. They are now soldiers/sailors/airmen/Marines. Unit cohesion comes from the crucible of shared hardships (basic training, advanced training, war). Warriors many times feel that only other warriors can understand them. That is why many service members are more willing to discuss their war experiences with a fellow veteran they've just met than with their closest family members. The military experience with inspirational leadership is the only thing that brings unit cohesion.

**2. Racial preferences, or the appearance thereof, can breed resentment.**

As previously mentioned, I have spoken to hundreds of service members who have left or were considering leaving the military over the past few years. Many of them cited the increased prevalence of implied racial preferences as one of the reasons for their departure. Let me start with initial recruiting and acceptance to service Academies. I mentor scores of young people all around the country who want to attend a service academy and who are currently attending service academies. I try my best to connect the prospective cadets/midshipmen with current cadets/midshipmen. I have been told by an alarming number of prospective White cadets that they hear that they would be more competitive if they marked "Other" or "Two or More

Races” on their applications instead of marking “White.” They are hearing it from the current cadets and midshipmen, and they are hearing it from family members who are in the military.

Naturally, and quite understandably, being treated differently (i.e. unfairly) based on superficial characteristics one cannot change breeds resentment. This is true across all ranks and at all stages of one’s career—from prospective applicant to general officer. After all, human nature doesn’t change simply because one pins on a new rank. As a result, the threat that racial distinctions pose to morale and cohesion is present across the force. Not even the most elite units are immune. In focus groups conducted by DoD contractors after the Department began a highly public DEI push in the special operations community, “[p]articipants noted that Diversity, Equity, and Inclusion (DEI) efforts can cause friction and backlash among unit members.”<sup>62</sup> Unsurprisingly, other “participants believed there to be disparate treatment of different demographic groups during assessment and selection” of new special operators after the emphasis on DEI began in earnest.<sup>63</sup>

## **VII. Conclusion**

I have done my best to paint a picture of what it takes to form/recruit, train, and keep a winning military. To recruit, the United States must inspire the youth. And using cash bonuses and other benefits will not produce the best and brightest.

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<sup>62</sup> USNA-00009558.

<sup>63</sup> USNA-00009557

Inspiration involves getting the youth to dream about being a Marine, Airman, Sailor, Soldier, or Guardian. It involves imbibing the winning spirit within those youth so they can imagine themselves winning any battle they may be drawn into. And it involves showing them how to reach that goal at a fairly young age.

As for training, the services have to make it very difficult, but not impossible. Warriors take pride in overcoming obstacles and succeeding in arduous conditions. This type of training also prepares the service members for actual combat, where they will not necessarily be fighting for American ideals, but fighting for the men and women who are next to them.

Keeping our service members for full careers takes bold and inspirational leadership that makes the service members feel like they are actually part of the reason we win. As I implied before, one of the motivations for cohesiveness is survival, but another motivation is glory. This is why military units have banners signifying their unique unit. This is why certain squadrons in the Air Force, Navy, and Marines and Divisions in the Army have inspirational monikers like “Black Sheep,” “Fightin’ Samurai,” “Stingers,” “Red Rippers,” “Wolfpack,” “Red Devils,” “Screaming Eagles,” “The Big Red One,” etc. These glorifying nicknames are oftentimes accompanied by verbal call-outs to others in their unit, like “Rakkasan! (The 101<sup>st</sup> Airborne Division),” or visual call-outs (similar to gang signs) like raising arms above the head in a semi-muscle pose (The 8<sup>th</sup> Fighter Wing at Kunsan Air

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Base, Korea). Pride in the unit comes from training together, and winning together, similar to sports teams.

When I was a 4<sup>th</sup> Class cadet at USAFA, we were required to memorize a quote from General Douglas MacArthur: “On the fields of friendly strife are sown the seeds that on other days, on other fields will bear the fruits of victory.” I have witnessed the truth in this. Using the same techniques that sports coaches often use brings warriors of all races, ethnic backgrounds, sexes, and creeds together.

When multi-lettered academics and theorists come and tell military leaders how to lead and how to get better operational results, many of us with experience often laugh out loud. Those who have tasted battle have an inner creed that mainly respects those who have been in the arena. I have friends of all races whom I call “brother” or “sister,” and they call me “brother,” because we have shed sweat, tears, and blood together. Anyone who thinks racial preferences will enhance military operations and unit conversion is living in a fantasy. But if the senior leaders truly want more diversity, they can get it by deepening the pool of applicants, and not having to sacrifice standards.

Dated: July 15, 2024      /s/ Brig. Gen. (Ret.) Christopher S. Walker, USAF (Ret)

Brig. Gen. (Ret.) Christopher S. Walker, USAF (Ret)

## APPENDIX A: CURRICULUM VITAE

**CHRISTOPHER S. WALKER**  
**(240) 479-4421 · [mwuagi@gmail.com](mailto:mwuagi@gmail.com)**  
**401 Bibby St**  
**Apt E**  
**Charleston, WV 25301**

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### **Professional Summary**

With forty years of combat, logistics, financial, and crisis management experience with the United States Air Force, Brigadier General Christopher Walker, a graduate of the U.S. Air Force Academy, has the breadth and depth of experience and leadership to ensure superb results for worldwide employers in critical positions such as strategic planning or operations management.

### **Qualifications:**

- Vast experience in Joint Domestic Operations and Homeland Defense. Extensive experience with HQ Staff and intra-theater air logistics as Air Mobility Division Chief.
- Combat experience in the Balkans, Afghanistan, and Iraq.
- Top-tier Air Force Strategic Planning and Programming influencer, including experience with Planning, Programming, Budgeting and Execution System (PPBE)
- Level III Joint Qualified Officer, schooled and experienced in contingency and crisis planning
- TS/SCI security clearance

### **Experience**

***Senior Military Advisor to Secretary of the Air Force Office of Diversity and Inclusion Feb 2021 – Present***

- Provides strategic advice/guidance for Air Reserve Component (ARC) implementation of Department of the Air Force (DAF) diversity and inclusion initiatives
- Identifies and recommends changes to policies and procedures, and removing barriers and other practices that may have an unfair effect upon underrepresented Airmen and Guardians
- Assesses ARC implications of DAF Inspector General Independent Racial Disparity Review
  - Provides recommendations to address findings, monitoring progress toward goals, and provides inputs for six-month and annual progress reports
- Advises DAF senior leaders on initiatives to improve rated diversity

***Assistant Adjutant General and Commander of the West Virginia Air National Guard Feb 2019 – Feb 2021***

- Provided command and control, over all Air National Guard (ANG) forces assigned to the state of West Virginia and is the principal advisor to the Adjutant General, on all matters related to the Air National Guard.
- Dual-hat assignment as ANG Assistant to the Assistant Secretary of the Air Force, Manpower and Reserve Affairs.
- Served as Dual-Status Commander of Joint Task Force-World Scout Jamboree (JTF-WSJ), for the World Scout Jamboree 2019 in West Virginia, commanding approximately

1000 soldiers, airmen, sailors, and DoD civilians providing security, logistics, and medical assistance to over 45,000 scouts and support staff from over 150 countries.

***Chief of Staff, West Virginia Air National Guard Dec 2016 – Feb 2019***

- Deputy Commander of the West Virginia Air National Guard
- Provided command and control over the Headquarters staff
- Supervised the preparation of plans, policies, and programs for the Air National Guard units assigned to the state, and advised and assisted the Adjutant General in their execution.
- Federal dual assignment was Assistant to the Assistant Secretary of the Air Force, Manpower and Reserve Affairs, providing oversight and input concerning laws, regulations and policy of the Department of the Air Force Human Capital portfolio to ensure mission success. In this role, assisted in areas of diversity, force development, force management, total force and Airman and Family Readiness.

***Strategic Planner (YRCI) Dec 2016 – Dec 2018***

- Applied Air Force operational employment knowledge in developing the Air Force/Air National Guard (AF/ANG) portion of joint scenarios used for strategic analysis
- Served as the National Guard Subject Matter Expert to joint study teams and/or war-gaming efforts concerning future force readiness, capacity and capability analyses

***Chief Property and Fiscal Operations Division (NGB-J85) Aug 2014 – Dec 2016***

- Principal advisor to NGB Director of Programs, Resources/Comptroller on all Joint Staff fiscal and resource matters
- Life-cycle manager for 54 United States Property and Fiscal Officers (USPFOs) in the States, Territories, and DC; Analyzes/synchronizes resource execution for all USPFOs across the ANG, ARNG, and National Guard Joint Staffs
- Developed and wrote Air Force, joint services, and combined plans, programs, and policies (numbered Air Force and above).
- Coordinated plans between staff agencies to ensure a coherent planning effort.

***Deputy Director, Air, Space and Cyber Operations (NGB/A3) Jan 2014 – Aug 2014***

- Assisted operations management/execution across 89 Air National Guard Wings, 885 units, 966 combat and combat support aircraft and 24K unit type codes
- Managed all aspects of ANG mission development, force planning, equipment requirements; supported deployment capabilities for Combatant Commander needs across all domains

***Chief, Mobility Operations Division (NGB/A3M) Jan 2013 – Jan 2014***

- Guided Strategic Plans and Programs integration for future POMs operational implications
- Oversaw Modular Airborne Fire Fighting Systems and National Science Foundation functional area management as well as AEF and deployment scheduling; tactics development and training
- Developed ANG inputs to Joint Strategic Planning System (JSPS), Designed Operational Capabilities (DOC) statements, USAF War and Mobilization Plan (WMP), Combatant Commander OPLANS and related National-level war planning documents

***Special Assistant the NGB/A3, Acting Chief-Mobility Operations Division (NGB/A3M) Feb 2012-Jan 2013(on Active Duty for Operational Support orders at Joint Base Andrews)***

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- Spearheaded execution of PB13-related issues (MC-12 operations and training, Legacy C-130 FTU ARC Association, etc.)
- Led NGB/A3 branches responsible for tactical and strategic airlift, tanker, aeromedical evacuation, and career enlisted aviators training and operations

***Deputy Commander and Commander, 103<sup>rd</sup> Air and Space Operations Group*** Nov 2011-Jan 2013

- Trained augmentation forces to the Air Forces Central (AFCENT) Combined Air and Space Operations Center (CAOC), providing seasoned experts in the areas of command and control, intelligence, surveillance, reconnaissance and communications for Air and Space Operations

***Deputy Director and Acting Director, Air Mobility Division, 609<sup>th</sup> Air and Space Operations Center, AFCENT*** Oct 2010-Dec 2011 (*voluntary mobilization deployment*)

- Managed air mobility and logistics for U.S. Central Command's entire Area of Operations
- Led a division of 150+ airmen and soldiers who plan, coordinate, task, and execute the air mobility campaign, synchronizing four air mobility teams, coordinating with the Strategy Division to integrate overall campaign plan; led theater and USTRANSCOM assigned forces (including coalition partners) in support of the Joint Force Commander's objectives

***103<sup>rd</sup> Air Mobility Operations Squadron Commander*** Oct 2008-Nov 2011

- Recruited, trained, and equipped Air National Guard members to augment Air Mobility Divisions (AMDs) in Air and Space Operations Centers (AOCs) worldwide
- Served as AMD Chief at several Combatant Commander level exercises including TERMINAL FURY, BLUE FLAG, GULF FLAG, and operationally at 609<sup>th</sup> CAOC for OEF/OND

***Action Officer for HQ USAF A8XI*** Pentagon, Arlington, VA; Oct 2008 – Oct 2010

- Member of a selectively-staffed organization implementing Air Force Strategic Planning Guidance; led development of Strategic Mobility Forum as preparation for Congressional Reports on Strategic Lift retirements
- Authored Strategic Justification for Annual Planning and Programming Guidance Risk Tables; clarified C-27J Basing, Force Structure and Direct Support requirements for the House Armed Services Committee

***Air National Guard Crisis Action Team Director*** ANG Readiness Center, Andrews AFB; 2006-2008

- Led 61 Officers and NCOs, covering 20 functional areas in support of Operation Jump Start (OJS), Domestic Crises, and the Global War on Terrorism (GWOT)
- Approval authority for ANG personnel and assets for OJS with \$192 Million budget, and sourced more than 3500 ANG members, controlled Airlift Operations transporting over 15,200 passengers and over 1,230 tons of cargo

***Additional career information available upon request***

### **Education**

Executive Leadership Program in Managing for Inclusion, Georgetown University, Washington, DC 2022

Continuous Process Improvement for Executives, Cincinnati, OH, 2018

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Joint Task Force Commander Course, USNORTHCOM, CO, 2018  
Dual Status Commander's Course, USNORTHCOM, CO, 2018  
Reserve Component National Security Course, Fort McNair, Washington DC, 2014  
Director of Mobility Forces Course, Hurlburt Field, FL, 2012  
Advanced Joint Professional Military Education, Joint Forces Staff College, Norfolk, VA, 2010  
Air and Space Operations Center Course, Hurlburt Field, FL, 2009  
Air War College, 2008  
Air Command and Staff College, 2004  
BS, General Engineering, United States Air Force Academy, CO, 1988

**Awards**

Doctorate of Humanities (Hon. Causa), Fairmont State University, WV, 2022

**Organizations**

Member, Charleston WV Rotary Club  
Board Member, The Clay Center for the Arts & Sciences of West Virginia  
Member, Civil Air Patrol Board of Governors  
Chair, Virtual Preparatory Academy of West Virginia Board of Directors  
Chair, Clarksburg Classical Academy Board of Directors  
Board Member, Bridge Valley Community and Technical College Foundation  
Executive Director, National Guard Association of West Virginia



**APPENDIX B: MATERIALS CONSIDERED**

In addition to the documents referenced in my report, I relied upon and/or considered the following documents:

- Verified complaint, Doc 1
- Defendants' memo, Doc 46
- Exhibit A, Doc 46-2
- Exhibit B, Doc 46-3
- Exhibit C, Doc 46-4
- Exhibit D, Doc 46-5
- Exhibit E, Doc 46-6
- Exhibit F, Doc 46-7
- Exhibit G, Doc 46-8
- Exhibit H, Doc 46-9
- Reply in Support of Motion for Preliminary Injunction, Doc 54
- Memorandum opinion, Doc 60
- Stipulated Protective Order, Doc 63
- Plaintiff's Memo of Law in Support of Motion for Preliminary Injunction, Doc 9-1
- Rebuttal Declaration of LTG Tom Spoeher, Doc 54-1.
- USNA-00030160
- USNA-00011709
- USNA-00021332
- USNA-00030476
- USNA-00016814
- USNA-00016806
- USNA-00025356
- USNA-00021314
- Inc Black Rep in USMC TACAIR Pilot Corps.pdf – USNA-00003962
- Black and Hispanic Marines: Their Accession, Representation, Success, and Retention in the Corps (Quester, Aline et al.) – USNA-00004147
- Toward a Racially Inclusive Military (Gamble, Danelle R.).pdf – USNA-00008270
- The Air Force and Diversity The Awkward Embrace (COL. Streeter, Suzanne M.).pdf – USNA-00009350
- Survey raises serious questions about the future of the all volunteer force (Jowers, Karen).pdf – USNA-00009386

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- Surface Navy tackling diversity as part of push for better retention, leadership (Eckstein, M.).pdf – USNA-00009395
- Secretary of Defense wants more diverse, inclusive military (Gooding, Mike).pdf –USNA-00009529
- Reducing Barriers to Minority Participation in Elite Units in the Armed Services.pdf –USNA-00009551
- Recruiting Women and People of Color Has Gotten Harder. The Air Force Thinks Diverse Leadership Will Help (Losey, Stephen).pdf – USNA-00009713
- Recent Officer Promotion Rates by Race, Ethnicity, and Gender (Military Leadership Diversity Commission).pdf – USNA-00009725
- Racial Equity Series (Blue Star Families).pdf –USNA-00009731
- Military Diversity in Multinational Defence Environments From Ethnic Intolerance to Inclusion.pdf –USNA-00010111
- Military Diversity A Key American Strategic Asset (Gen. Garrett, Michael X.).pdf –USNA-00010297
- Marine Corps Operations (USMC).pdf – USNA-00010305
- Marine Corps Planning Process (USMC).pdf – USNA-00010584
- Leveraging diversity for military effectiveness- Diversity, inclusion and belonging in the UK and US Armed Forces.pdf – USNA-00010801
- JP 1, Doctrine for the Armed Forces of the United States (Joint Chiefs of Staff).pdf – USNA-00010826
- Inclusion and Diversity Policy as Great Power Competition.pdf – USNA-00011246
- Improving the Civil-Military Relationship- Diversity and the US Army.pdf – USNA-00011273
- How Effective are Blinding Concepts and Practices to Promote Equity in the Department of the Air Force.pdf –USNA-00011442
- Force Design 2030 (DoN).pdf –USNA-00011585
- DoD Diversity and Inclusion Strategic Plan.pdf – USNA-00012604
- DoD Defense Board on Diversity and Inclusion Report.pdf – USNA-00012620
- Diversity Helps Units Succeed (COL. Deaton, Andrew).pdf – USNA-00012894
- Department of Defense Diversity, Equity, Inclusion, and Accessibility Strategic Plan.pdf – USNA-00012977
- Delivering through diversity (Hunt, Dame Vivian; Yee, Lareina; Prince, Sara; Dixon-Fyle, Sundiatu).pdf – USNA-00013061

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- Blue Star Families Social Impact Research 2021 The Diverse Experiences of Military and Veteran Families of Color (Blue Star Families).pdf – USNA-00013415
- Diversity and Inclusion Strategic Plan.docx – USNA-00027010
- Diversity Brief COI 2021 Presentation.pptx – USNA-00028602
- DRM-2023-U-034887-Final.pdf USNA-00030078
- Drivers of Navy First Term Attrition.pdf – USNA-00030156
- DRM-2018-U-017179-Final.pdf – USNA-00030434